



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

March 30, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#46 MARCH 30, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
FOR A FUTURE STREET SOUTH OF AVENUE S-14
AND EAST OF EL CAMINO DRIVE
IN THE UNINCORPORATED COMMUNITY OF LAKEVIEW
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to abandon an offer of dedication of an easement for street and highway purposes, south of Avenue S-14 and east of El Camino Drive, in the unincorporated community of Lakeview, which is no longer needed for public use. The abandonment has been requested by the underlying fee owners Mr. and Mrs. Alex Martinez.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that:
 - a. The offer of dedication of an easement for street and highway purposes, south of Avenue S-14 and east of El Camino Drive, is less than five years and more than one year, immediately preceding the proposed abandonment and was not used continuously since that date, and that it may, therefore, be vacated pursuant to Section 8333(b) of the California Streets and Highways Code.

- b. The offer of dedication of an easement for street and highway purposes, south of Avenue S-14 and east of El Camino Drive, is excess and not required for street or highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.
- c. The offer of dedication of an easement for street and highway purposes, south of Avenue S-14 and east of El Camino Drive, is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.
3. Terminate the offer of dedication of an easement for street and highway purposes and abandon the County of Los Angeles' right to accept and open the street pursuant to Section 66477.2(c) of the California Government Code.
4. Adopt the Resolution of Summary Vacation.
5. Upon approval, authorize the Department of Public Works to record the certified original resolution with the office of the Registrar Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to terminate and abandon the offer of dedication of an easement for street and highway purposes, a future street south of Avenue S-14 and east of El Camino Drive (Offer), since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The abandonment of the Offer will result in added revenue through assessment and taxation, and reduce the County of Los Angeles' (County) possible future exposure to liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The abandonment of the Offer will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,500 fee to defray the expense of the investigation. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be abandoned contains approximately 9,113 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8333 provides "The legislative body of a local agency may summarily vacate a public service easement in any of the following cases: (b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date."

The California Streets and Highways Code Section 8334 provides "The legislative body of a local agency may summarily vacate any of the following: (a) An excess right of way of a street or highway not required for street or highway purposes."

The Government Code Section 66477.2(c) provides "Offers of dedication which are covered by subdivision (a) may be terminated and abandoned in the same manner as prescribed for the summary vacation of streets by Part 3 (commencing with Section 8300) of Division 9 of the Streets and Highways Code."

The County's interest in the Offer was acquired by Document No. 05-2165203, recorded on September 8, 2005, of Official Records, in the office of the Registrar Recorder/County Clerk of the County as an easement for street and highway purposes.

The Offer was never accepted by the County, no improvements were ever made to the right of way by the County, and this area has never been used for County highway purposes.

Mr. and Mrs. Alex Martinez, the underlying fee owners, requested the abandonment of the Offer to provide improvements to the property as part of the construction of a new home. The abandonment of the Offer will provide an additional buildable area.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Offer. Your action will result in the property being unencumbered by the Offer and available to the property owners for use without restriction of the Offer.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Sections 15305 and 15321 of the State CEQA Guidelines which state that this class of projects consisting of minor alterations in land use, limitations and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through elimination of the Offer.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
FUTURE STREET SOUTH OF AVENUE S-14
AND EAST OF EL CAMINO DRIVE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the recipient of an offer of dedication as an easement for street and highway purposes (hereinafter referred to as the Offer) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Offer, south of Avenue S-14 and east of El Camino Drive, is located in the unincorporated community of Lakeview in the County of Los Angeles, State of California.
2. The date of the Offer is less than five years, and more than one year, immediately preceding the proposed abandonment, and the Offer was not used continuously since that date.
3. The Offer is excess right of way not required for street or highway purposes.
4. The Offer is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.
5. The Offer is hereby terminated and abandoned pursuant to Section 66477.2(c) of the California Government Code and pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
6. The Department of Public Works is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Offer will be terminated, and the County's rights to accept said offer of dedication will be abandoned.
7. From and after the date this resolution is recorded, the Offer no longer constitutes a street, highway, or public service easement.

The foregoing resolution was on the _____ day of _____, 2010, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____

Deputy

By _____

Deputy

JLS:mr

P:\mppub\admin\maria\Resolution\RESOLUTION FUTURE ST

EXHIBIT A

Project Name: FUTURE ST S/O AVE S-14 &
E/O EL CAMINO DR
**FUTURE STREET VACATION
113-1VAC**

A.I.N. 3054-022-003

T.G. 4285-J6

I.M. 309-237

R.D. 557

S.D. 5

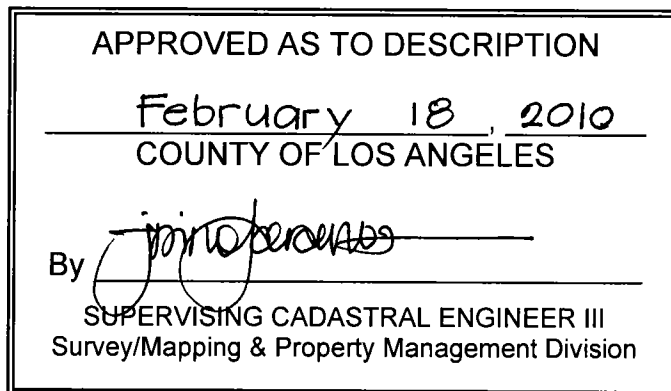
M0788114

LEGAL DESCRIPTION

PARCEL NO. 113-1VAC (Vacation of Easement):

Those certain parcels of land in the northeast quarter of the southwest quarter of the northwest quarter of the southwest quarter of Section 3, Township 5 North, Range 12 West, S.B.M., designated as Part B and Part C in the Irrevocable Offer and Grant of Easement, recorded on September 8, 2005, as Document No. 05-2165203, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

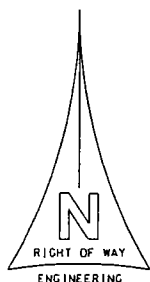
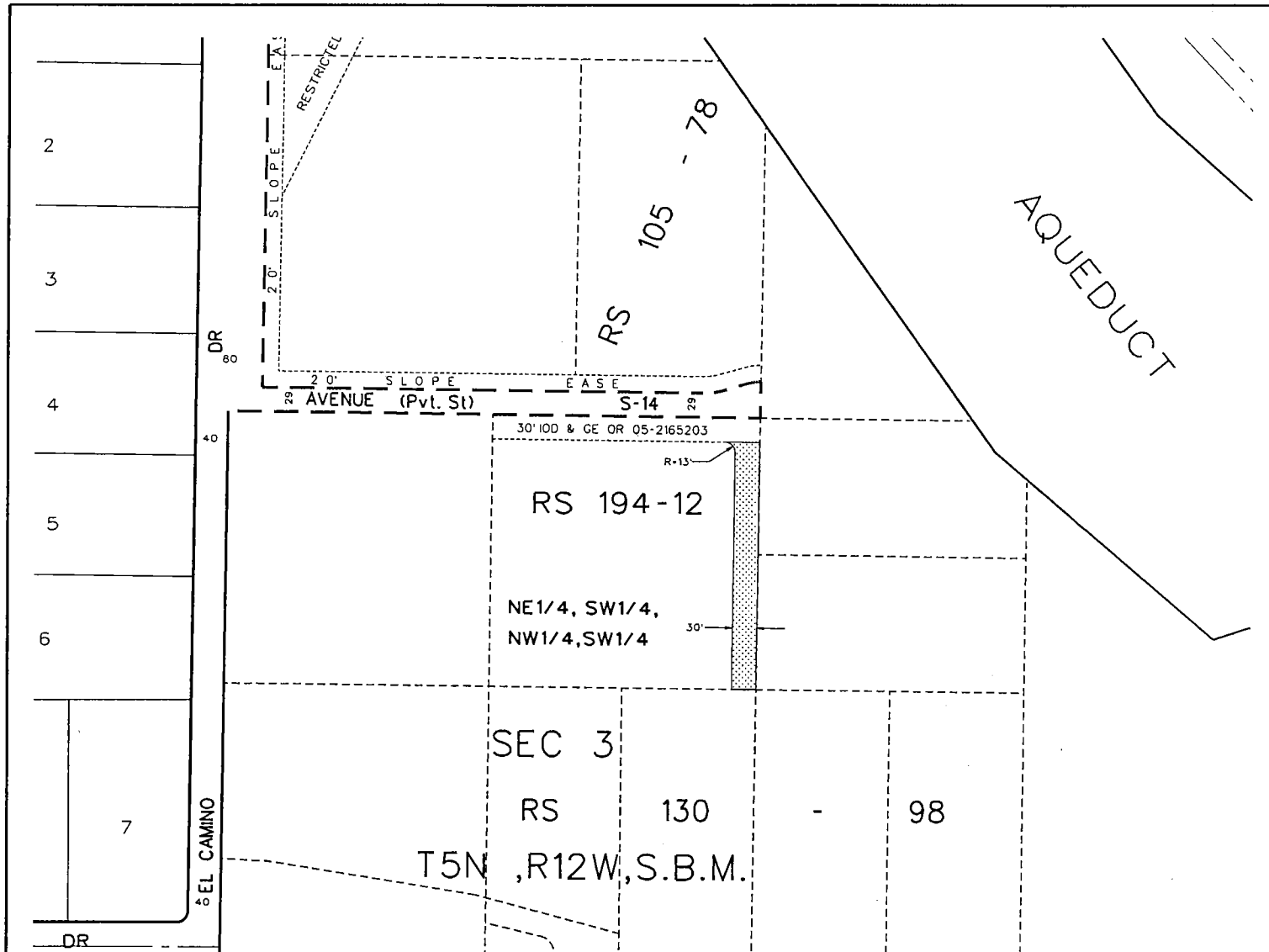
Total Area: 9,113± square feet



This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California business and Professions Code.

RH:mr

P5:\LDFUTURE ST



**SUBJECT
LOCATION**

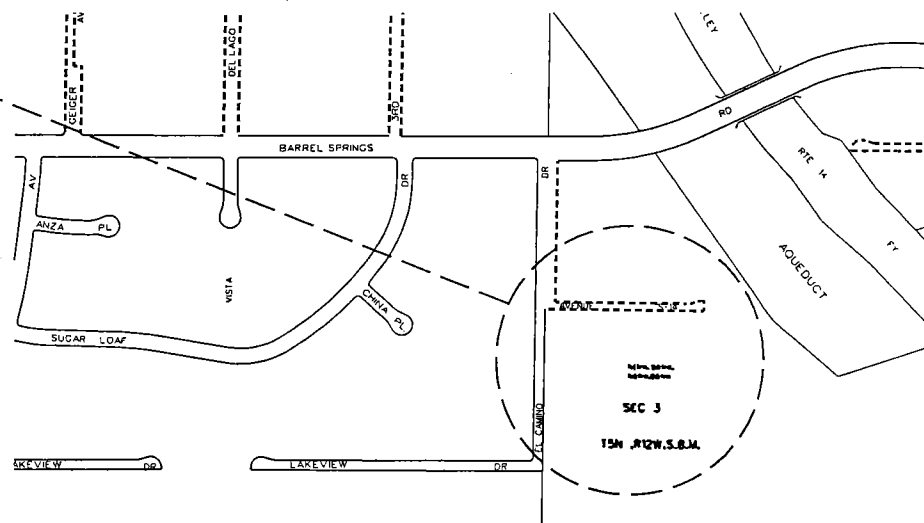


EXHIBIT B

LEGEND



Proposed abandonment
of an offer to dedicate
road right of way
Total Area 9,113 ± s.f.

REVISIONS

1. 2. 3.

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD. 5	RD. 557	A.I.N. 3054-022-003	T.G. 4285-J6	FUTURE ST S/O AVE S-14 & E/O EL CAMINO DR	DRAWING NO. M0788114
SCALE NONE		DATE 04-9-07	I.M. 309-237		